

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) EDTN Mag No. 1:16-MJ-74
vs.) Dist. of Arizona Case No. CR-14-1158-PHX-SRB(MHB)
)
C.L. BROWN JR.) JUDGE STEGER

MEMORANDUM AND ORDER

Defendant C.L. Brown Jr. ("Defendant"), came before the Court on March 8, 2016, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure, for an initial appearance on an Indictment and Warrant out of the District of Arizona.

After being sworn in due form of law, Defendant was informed or reminded of his privilege against self-incrimination under the 5th Amendment and his right to counsel under the 6th Amendment to the United States Constitution.

The Court determined that Defendant wished to be represented by an attorney and that he qualified for the appointment of an attorney to represent him at government expense. Consequently, the Court APPOINTED Federal Defender Services of Eastern Tennessee, Inc. to represent Defendant at the initial appearance.

Defendant was furnished with a copy of the Indictment and had an opportunity to review that document with his attorney. The Court determined that Defendant was capable of being able to read and understand the Indictment. Further, the AUSA explained the charges pending against Defendant and the potential range of penalties attendant to those charges. Defendant acknowledged that he understood the charges against him.

The Court explained to Defendant that he had a right to an identity hearing to determine whether he is the person named in the charges in the Indictment; a right to production of the warrant (or a certified copy or electronic copy); a right to a detention hearing; and a right to be arraigned. The Court further explained to Defendant that he had a right to transfer these proceedings to the Eastern District of Tennessee under Fed. R. Crim. P. 20.

Following consultation with his counsel, Defendant agreed to waive an identity hearing, production of the warrant, and a detention hearing, all of which he may be entitled to in the Eastern District of Tennessee, and the Court confirmed that he would be entitled to such proceedings in the prosecuting district at the time set by that Court. Defendant did, however, agree to be arraigned in this Court and entered a not guilty plea to the charges in the Indictment.

It is, therefore, ORDERED that

1. Defendant shall be DETAINED WITHOUT BAIL pending his transfer to the District of Arizona.
2. The U.S. Marshal shall transport Defendant to the District of Arizona for a hearing before a U.S. Magistrate Judge on a date to be determined once Defendant is in said district.

ENTER.

s/Christopher H. Steger
UNITED STATES MAGISTRATE JUDGE